

in his legal custody situated in a military or naval establishment, ship, or other depository outside the territorial limits of continental United States—

- (1) the retention of which would be prejudicial to the interests of the United States or
- (2) which occupy space urgently needed for military purposes and are, in his opinion, without sufficient administrative, legal, research, or other value to warrant their continued preservation.

Within six months after their disposal, the official who directed the disposal shall submit a written report to the Archivist in which he shall describe the character of the records and state when and where he disposed of them.

(Pub. L. 90-620, Oct. 22, 1968, 82 Stat. 1301; Pub. L. 98-497, title I, §107(b)(23), (25)(C), Oct. 19, 1984, 98 Stat. 2290.)

#### HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., §376 (July 7, 1943, ch. 192, §11, 57 Stat. 382; June 30, 1949, ch. 288, title I, §104(a), 63 Stat. 381).

#### AMENDMENTS

1984—Pub. L. 98-497 substituted “Archivist” for “Administrator of General Services” in section catchline and text.

#### EFFECTIVE DATE OF 1984 AMENDMENT

Amendment by Pub. L. 98-497 effective Apr. 1, 1985, see section 301 of Pub. L. 98-497, set out as a note under section 2102 of this title.

### § 3312. Photographs or microphotographs of records considered as originals; certified reproductions admissible in evidence

Photographs or microphotographs of records made in compliance with regulations under section 3302 of this title shall have the same effect as the originals and shall be treated as originals for the purpose of their admissibility in evidence. Certified or authenticated reproductions of the photographs or microphotographs shall be admitted in evidence equally with the original photographs or microphotographs.

(Pub. L. 90-620, Oct. 22, 1968, 82 Stat. 1302.)

#### HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., §378 (July 7, 1943, ch. 192, §13, 57 Stat. 382).

### § 3313. Moneys from sale of records payable into the Treasury

Moneys derived by agencies of the Government from the sale of records disposed of under this chapter shall be paid into the Treasury of the United States unless otherwise required by law.

(Pub. L. 90-620, Oct. 22, 1968, 82 Stat. 1302.)

#### HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., §379 (July 7, 1943, ch. 192, §14, 57 Stat. 383).

### § 3314. Procedures for disposal of records exclusive

The procedures prescribed by this chapter are exclusive, and records of the United States Gov-

ernment may not be alienated or destroyed except under this chapter.

(Pub. L. 90-620, Oct. 22, 1968, 82 Stat. 1302.)

#### HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., §380 (July 7, 1943, ch. 192, §15, 57 Stat. 383).

### § 3315. Definitions

For purposes of this section and section 3316 through section 3324 of this title—

(1) the term “Federal official” means any individual holding the office of President or Vice President of the United States, or Senator or Representative in, or Delegate or Resident Commissioner to, the Congress of the United States, or any officer of the executive, judicial, or legislative branch of the Federal Government;

(2) the term “Commission” means the National Study Commission on Records and Documents of Federal Officials; and

(3) the term “records and documents” shall include handwritten and typewritten documents, motion pictures, television tapes and recordings, magnetic tapes, automated data processing documentation in various forms, and other records that reveal the history of the Nation.

(Added Pub. L. 93-526, title II, §202, Dec. 19, 1974, 88 Stat. 1698.)

#### TERMINATION OF COMMISSION

For provision that Commission is to cease to exist sixty days after transmitting its report, see section 3323 of this title.

### § 3316. Establishment of Commission

There is established a commission to be known as the National Study Commission on Records and Documents of Federal Officials.

(Added Pub. L. 93-526, title II, §202, Dec. 19, 1974, 88 Stat. 1699.)

#### TERMINATION OF COMMISSION

For provision that Commission is to cease to exist sixty days after transmitting its report, see section 3323 of this title.

### § 3317. Duties of Commission

It shall be the duty of the Commission to study problems and questions with respect to the control, disposition, and preservation of records and documents produced by or on behalf of Federal officials, with a view toward the development of appropriate legislative recommendations and other recommendations regarding appropriate rules and procedures with respect to such control, disposition, and preservation. Such study shall include consideration of—

(1) whether the historical practice regarding the records and documents produced by or on behalf of Presidents of the United States should be rejected or accepted and whether such practice should be made applicable with respect to all Federal officials;

(2) the relationship of the findings of the Commission to the provisions of chapter 19 of this title, section 2101 through section 2108<sup>1</sup> of

<sup>1</sup> See References in Text note below.